CLASSIFICATION OFFICE DECISION

Title of publication: a17165dn.wmv

Other known title(s): Not stated

OFLC ref: 0901776.000

Medium: Computer Moving Image File

Distributor: Not stated

Director: Not stated

Producer: Not stated

Country of origin: Japan

Language: Japanese

Applicant: Comptroller of Customs

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 17 February 2010

Date of direction to issue a label: No direction to issue a label has been issued

	Components	Running time
Timed component(s):	a17165dn.wmv	11:00
Total running time:		11:00

Summary of reasons for decision:

The publication is a computer moving image file that depicts sexual activity between a man and a teenage girl. The clip is sexually explicit and clearly designed to sexually arouse the viewer. The publication serves to strengthen a sexual interest in young persons and encourage their sexual

exploitation, and is therefore deemed objectionable under s(3)(2)(a) of the Films, Videos, and Publications Classification Act 1993.

The classification of this publication interferes with the freedom of expression as set out in the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.